# IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 716 OF 2006

IN

MISC.CIVIL APPLICATION NO. 233 OF 2005

SPL. LAND ACQUISITION OFFICER AND ANR. ....Applicants

Versus

MARIANO MILAGRES FERNANDES ....Respondent

Mrs. Winnie Coutinho, GA for the Applicants.

Coram:- J. N. PATEL, J.

Date:- 14th December, 2006

P.C.:

Heard.

This is the third time that the application for restoration is being made for restoring M.C.A. No.233/05. The said application came to be dismissed in default followed by another application for its restoration and the reason given for restoration is the same that the learned GA was busy in the other Court. This Court expects the learned GA to take necessary precaution and see that the judicial work is distributed properly so that the matters are not dismissed in default for non-appearance of GA or the Advocate for the State.

As no notice has been issued to the other side even in Misc. C.A. No.233/05, this Court is inclined to allow the application for restoration without notice to the respondent but subject to costs of Rs.500/- to be deposited in the Court within a week's time. On the cost being deposited

in the fund of the High Court Legal Aid Services authority, the application will stand restored. The application be now listed for orders on 22.12.2006.

J. N. PATEL, J.

sl.